

MINUTES FOR SEPTEMBER 16, 2010
MEETING OF THE PEDESTRIAN AND TRAFFIC SAFETY ADVISORY COMMITTEE

Members Present: Erwin Mack, Chair; Colleen Mitchell, Vice-chair; Ramin Assa; David Anspacher, MNCPPC; Al Roshdieh for Arthur Holmes, MCDOT Director; John Britton, Municipal League; James D'Andrea, MCPS; Capt. Thomas Didone, MCPD; Richard Romer representing Councilmember Ervin; Steve Friedman; Ken Hartman, BCC Regional Service Center; Alan Migdall; Peter Moe, MSHA;; David Sharp; Jack Strausman; Reemberto Rodriguez, SS RSC

Members Absent: Alyce Ortuzar

County Staff: Jeff Dunckel, Pedestrian Safety Coordinator, MCDOT; Margaret Boumel, SRTS, MCDOT; William Selby, MCDOT; Tom Pogue, MCDOT; Fred Lees, MCDOT

Guests: Edna Miller

1. Committee Business:

Chairman Erwin Mack opened the meeting at 7:05 pm. Mack began by noting observations from his summer vacation to Maine: drivers yield to pedestrians there, and he observed a pedestrian crossing signal that flashed bright yellow before turning red to stop vehicles. Mack introduced the minutes from the July meeting; Jeff Dunckel reviewed the minutes with the Committee.

MOTION: Motion to accept the July 1, 2010 meeting minutes as drafted was moved, seconded, and approved unanimously.

Mack invited visitors to speak. No visitors spoke. Dunckel introduced the two newly appointed members to the PTSAC, now approved by the County Council: Reemberto Rodriguez, Director, Silver Spring Regional Service Center (replacing Ken Hartman) and David Anspacher, MNCPPC (replacing Justin Clarke.)

MOTION: Mack introduced a motion to send a note of thanks from the PTSAC to Justin Clarke and Ken Hartman, thanking them for their service to the Committee. The motion was seconded and approved unanimously.

Dunckel also announced that the reappointments of Alyce Ortuzar and Ramin Assa had also been approved by the County Council.

Mack welcomed the new PTSAC representative from Montgomery County Police: Captain Thomas Didone, former Director of the Special Operations, which formerly included MCPD's Traffic Division. Didone stated he had previously had the pleasure of having Alan Migdall serve on his Traffic advisory board. Dunckel also stated that after interviews were conducted in July, a recommendation has been made for Bill Bronrott's replacement. There were eight applicants for the position. Five excellent candidates were interviewed; three candidates were not able to appear for interviews. The new member is expected to be approved before the November PTSAC meeting.

Tom Pogue described MCDOT's participation in the August Conference of the Maryland Association of Counties (MACo). This was successful, as was the June appearance at the Maryland Municipal League Conference. While other jurisdictions had only general displays, Montgomery County's featured pedestrian safety as a topic; County Executive Leggett asked MCDOT to develop the display that featured pedestrian safety as the featured presentation. Flashing Pedestrian Safety Beacons were also handed out to conference participants; these were very popular.

Margie Boumel described the upcoming International Walk to School Day on October 6, as an event being promoted for the Safe Routes to School program. Nineteen schools are signed up to participate; the featured host school this year will be the East Silver Spring Elementary School. Pogue announced that MCDOT has now hired a new permanent Safe Routes to School Coordinator who will start at the end of September; she is a current Montgomery County Employee, so she should be able to “hit the ground running.” Pogue commended Boumel for the excellent job she has done keeping the program going while a permanent Coordinator was sought out.

2. Pedestrian Safety Budget – FY 12:

Dunckel explained that the majority of this meeting was to be focused on discussing the budget. He reviewed the materials handed out in the meeting packet. In FY10, the County Executive’s Pedestrian Safety Initiative received nearly \$5 million in new funding. A savings plan was employed in FY10 that reduced that funding by \$500,000. Funding was further reduced 26% in FY11, to \$3.6 million. However, with what had originally been in the base funding for Pedestrian Safety - - prior to the County Executive’s Initiative - - the total money available for FY11 Pedestrian Safety Initiative Activities is now \$5.3 million. So the program continues to move forward in FY11.

The challenge before the County is the FY12 budget year looks to be even more difficult than FY11; additional cutbacks are likely. The two questions for the PTSAC to consider and advise on are: 1) if there are additional cuts needed, what are the most important components of the program that should receive funding, and 2) if additional funds or funding sources could be identified, what should those additional funds be directed towards? The County has defined the full array of pedestrian safety components for the PTSAC to discuss and provide input on what are the most important parts of the program. (See handouts in meeting packet.)

Three areas of activity were defined: first, “Core Services” thought to be critical to maintaining pedestrian safety; second, “Existing” Pedestrian Safety Initiative activities that are currently funded in the program; and third, those “New” activities which were thought to be important in the past, but are not currently funded in the program. Dunckel, Fred Lees and Captain Tom Didone described the various activities. Dunckel asked the PTSAC to provide input on what was more important and what was less important, in terms of the program. Steve Friedman asked where cyclists fit into the mix; Didone clarified that bicyclists are considered as pedestrians. Didone also announced that MCPD had hired a full time data analyst to work with pedestrian and traffic collision data. Lees outlined the existing crosswalk maintenance program. Some cuts to this program were realized in FY11. Al Roshdieh clarified that crosswalks are being maintained sufficiently to protect public safety. Safety is critical to MCDOT. Alan Migdall asked for information pertaining to backlogs of maintenance activities.

Mack asked what the PTSAC needed to do tonight; Dunckel explained that the expectation was to get some feedback from the committee on what the budget priorities for pedestrian safety should be in FY12. Bill Selby clarified, referring to his two questions above.

Colleen Mitchell stated that what is important to her are things that are safety focused - - changing behaviors towards being safe are priorities: traffic calming, redesigning roadways for safety and education are top priorities. Sidewalk construction is a lower priority for her. Jack Strausman stated that while new sidewalks may not be so important in Central Business Districts, he feels they are vitally important in the up-county, in areas that have no safe pedestrian pathways. Safe pathways are critical, above enhanced crossings. Friedman agreed with Strausman. Mitchell suggested that perhaps whatever sidewalk money is available should be put towards new sidewalk construction rather than replacing existing sidewalks. Peter Moe suggested that with limited budgets, perhaps infrastructure improvements should be directed to those who need them the most – areas where auto ridership is lowest and transit ridership highest. Sidewalks should not be directed by request, but rather by need. In these tough budget times, Moe suggested MCDOT should look at where the money is

being directed, not just “the what” is funded. As the agency has to “triage” the program, what can be sustained with minimal funding and what are the most critical needs in the next year or two. Ramin Assa wanted to know what \$1million in new sidewalks was going to buy, given a new four-tenth mile Chevy Chase sidewalk was going to cost more than a million. A million needs to be more than a quarter mile of new sidewalk. Roshdieh suggested the Pedestrian Safety Implementation Group should put together a list of what the implementing agencies feel the priorities should be for funding, and then review that with the PTSAC to get their comments and opinions. Mack suggested that the list be submitted in advance of the meeting. Alan Migdall and Moe requested that the prioritized list include a narrative as to why funding is - - or is not - - a priority for specific components.

ACTION: MCDOT will submit to the PTSAC, well in advance of the November 4 meeting, a list of what the Implementation Group considers funding priorities, with an explanation of those recommendations.

Friedman suggested that everyone is biased as to priorities by their experience and where they live. He suggests that what is most needed in one part of the County may not be as needed in another - -and this there is variability of perceived needs by areas. Friedman felt that the PTSAC may want to work through civic associations to help define varying needs for different areas. No one solution will fit all aspects of the County.

James D’Andrea pointed out that school areas often have the largest numbers of walkers, and therefore are good places to focus resources. John Britton expressed the opinion that he would favor infrastructure expenditures over education, because we are so deficient in our infrastructure at this time - - especially pedestrian crossings and signals. Reemberto Rodriguez pointed out that in Downtown Silver Spring there is a glaring difference between those brand new facilities and those that are very old infrastructure. Old infrastructure needs to be brought up to the level of new facilities. All the new pedestrian infrastructure in D.C. is an education tool to draw pedestrian attention to safe crossing locations. David Anspacher stated that statistics need to be used in analyzing what the spending priorities are. Rich Romer cited the many citizens contacting the County Council, requesting new sidewalks. This is a very big priority for the County Council. Romer also felt that the infrastructure improvements are probably going to have a greater effect on improving pedestrian safety. Jack Strausman stated that schools may be a good place to start with improvements and work out from there - - this would work towards a cultural change of getting kids to walk and bike more - - if safer pathways were created. Mack observed that if you get to the kids, you get to their parents. School systems often resist the introduction of pedestrian safety into the schools’ curricula. Strausman suggested that using utility company billings may be an effective way to insert educational materials on pedestrian safety. Moe suggested that education does not have to be expensive - - that some low cost, but creative ideas can sometimes be employed to get the word out. Also prioritizing locations based on sensitive populations (schools, transit stops, etc) is another important aspect to allocating spending. David Sharp voiced his support of constructing more new sidewalks, and not necessarily spending money to upgrade existing sidewalks - - at least some type of sidewalk is already there while many locations lack a sidewalk altogether, even if badly needed. The new, re-done curb cuts with ramps and truncated domes are an example of where money may be better spent putting in new ramps where there is no curb cut at all.

3. Subcommittee Reports, Updates, and Recommendations:

Sidewalks Subcommittee (Pedestrian Networks): Ramin Assa requested information on what our Annual Sidewalk Program budget buys us in terms of new sidewalks. The committee’s mission statement states that we need a systematic assessment and analysis of the pedestrian network, so that needs can be prioritized and funding secured. Sidewalks seem to be more related to accessibility rather than to safety. Assa would like to obtain County information about the sidewalks program and what is being done. Alan Migdall’s resolution was introduced. In his effort to understand pedestrian crossings and the assessment of pedestrian networks, Migdall learned that nothing existed in the County to allow for the evaluation and definition pedestrian network needs. Thus, Migdall proposed the creation of a pedestrian network assessment that would define paths of connectivity, consistent with Strategy 2 of the County Executive’s Pedestrian Safety Initiative. Asked if this

were to be an inventory of sidewalks or of crossing facilities; Migdall responded this would be an inventory of everything someone not in a car would use to get from Point A to Point B. Roshdieh explained some of the history of the request for a sidewalk inventory. **Dunckel will work with Migdall to draft a revised proposal for a pedestrian network assessment – including the request for the estimated cost – to be voted on November 4.**

Bicycle Access and Safety (BAS): Steve Friedman directed the Committee to the meeting handout from One-Less-Car, which is a good summary of the law changes enacted in last Spring's General Assembly Session. The PTSAC participated by submitting positions on several topics, through the Office of Intergovernmental Relations. Friedman stated this was the most productive session bicyclists had ever seen in Annapolis. **BAS will present proposed bicycle issues for the 2011 session when the PTSAC meets again November 4.** Moe handed out SHA educational materials being used to inform people of the new laws. The cellphone law is one of the big changes that SHA is teaching the public about. With limited budgets, SHA is relying on the use of email distributions of advocacy and government groups to get the word out. Moe asked that the committee help to get the word out by forwarding their information emails to other who need to know about the new laws. Discussion ensued over the uncertainties of how the 3-foot-auto-passing-a-biker law was written, and how it will be enforced. **BAS will have a series of recommendations to discuss for the November meeting.**

4. Contributory Negligence Issue:

Migdall stated he was looking to the County for support of a change of State Law from a State of Contributory Negligence to a State of Comparative Negligence, where blame is proportioned by degree of fault rather than cancelled if either party was at all contributory to the negligence. It was a general consensus that the decision of whether the County will support State Law specifying Comparative Negligence is a question that far transcends what the PTSAC is able to affect. Jack Strausman expressed strong feelings that this is something that should not be changed. Tort law affects all insurance in all of the Counties in Maryland, and the insurance rates people pay. Roshdieh suggested this is something that should be addressed by the County Attorney rather than the PTSAC.

5. New Business/Committee Comments:

Annual report – Colleen Mitchell is taking the lead. She asked if anyone wanted to help, she would welcome more involvement. The change of PTSAC meeting dates in September did cause some confusion for the public wanting to attend; Roselle Paquette has now identified all locations on County Web Sites where meeting dates are listed so any future changes can be changed on all posted sites. CountyStat will be conducting a review of the Pedestrian Safety Program on October 12, 2010. The County Council's Transportation and Environment, and the Public Safety committees will be holding a joint session to review the Pedestrian Safety Program on October 21, 2010. Romer stated the Council meeting is an open meeting; everyone is welcome to attend. The Council is just looking for an update on the program. Roshdieh invited Mack to join MCDOT at the County Council session to express the perspective of the PTSAC. Mack stated he would be glad to participate

Adjourn: Meeting Adjourned at 9:28 pm

Next Scheduled Meeting Date: November 4, 2010